

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MICHAEL A. PARRELLA,

Petitioner,

v.

THE ORANGE RABBIT, INC., *et al.*,

Respondents.

**USDC-SDNY  
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20-CV-9923 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

The parties in this case, which was filed today, received notice of the arbitration award on August 30, 2020. Dkt. 4 Ex. 15. If Petitioner seeks to vacate this arbitration award, 9 U.S.C. § 12 mandates that he serve Respondents with his petition to vacate no later than three-months after that date. This deadline is not subject to extension. *See Anglim v. Vertical Grp.*, 16-CV-3296 (KPF), 2017 WL 543245, at \*7 (S.D.N.Y. Feb. 10, 2017) (“Section 12’s . . . three-month time limit for service is absolute: No exception to [the] three month limitations period is mentioned in [9 U.S.C. § 12]. Thus, under its terms, a party may not raise a motion to vacate, modify, or correct an arbitration award after the three month period has run[.]”); *see also Barclays Capital Inc. v. Hache*, 16-CV-315 (LGS), 2016 WL 3884706, at \*2 (S.D.N.Y. July 12, 2016) (“[T]he three-month deadline contained in 9 U.S.C. § 12 is not subject to extension.”). Accordingly, if Petitioner does not serve Respondents by November 30, 2020, his petition to vacate must be dismissed.

If Petitioner does effect timely service, Respondents shall file their opposition no later than December 21, 2020.

SO ORDERED.

Dated: November 30, 2020  
New York, New York

A handwritten signature in blue ink, appearing to read 'Ronnie Abrams', is written above a horizontal line.

RONNIE ABRAMS  
United States District Judge